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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,026	09/12/2003	Rainer Andra	16814-3	3505

7590 03/19/2004

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EXAMINER

BINDA, GREGORY JOHN

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 03/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/664,026

Applicant(s)

ANDRA, RAINER

Examiner

Greg Binda

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4-10 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 20030912.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Priority

1. Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 120 as follows:

An application in which the benefits of an earlier application are desired must contain a specific reference to the prior application(s) in the first sentence of the specification of in an application data sheet (37 CFR 1.78(a)(2) and (a)(5)). The specific reference to any prior nonprovisional application must include the relationship (i.e., continuation, divisional, or continuation-in-part) between the applications except when the reference is to a prior application of a CPA assigned the same application number.

Drawings

2. The drawings are objected to because:

- a. Reference numeral 74 appears in Fig. 1 but is not mentioned in the description.
- b. Reference numerals 22, 26 & 34 are each used to identify a part in Figs. 1-3 and then a modification of such part in Figs. 4 & 5.

3. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to as failing to comply with 37 CFR 1.77(c) for failing to include section headings.
5. The disclosure is objected to because:
 - a. Reference is made to a specific claim on page 1, line 3; page 4, line 10; page 5, lines 11, 20 & 31 and page 6, lines 6, 11, 23 & 28.
 - b. Page 5, line 13, the word “centering” is misspelled.
 - c. Page 7, line 27; page 9, line 13 and page 14, line 18, the word “center” is misspelled.
6. The specification is objected to as failing to comply with 37 CFR 1.71 and 1.75(d)(1) because the detailed description fails to provide proper antecedent basis for the limitations at page 14, lines 14-20 & 30-32.

Claim Objections

7. Claims 4-10 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, claims 4-10 have not been further treated on the merits.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Strachovsky, US 2,504,750. Figs. 1-5 show a torsionally flexible shaft coupling comprising: a centrally disposed universal joint (see also “universal joint” at col. 1, line 19) which has a first substantially rigid body 2 and a second substantially rigid body 1; a rim 9 disposed around the universal joint of loop-shaped flexible coupling elements (each loop-shaped flexible coupling element equating to two of the elements 15 and the elastomeric material between them), which are each looped around one first molded piece 14 (see right side of Fig. 2) and one second molded piece 14 (see left side of Fig. 2), wherein the first molded pieces (the north and south elements 14 in Fig. 4) are connected substantially rigidly to the first joint body 2 and disposed between second molded pieces (the east and west elements 14 in Fig. 4) and the joint bodies 2 & 1 as well as the coupling elements 15 are disposed substantially rotationally symmetrically in relation to a common joint axis (line running between the left and right sides of Fig. 2) as well as substantially symmetrically in relation to a common center plane (line 4-4 in Fig. 3) normal to the joint axis and are arranged in line for the transmission of torques (see also col. 1, lines 45+). Fig. 2 shows the first joint body 2 has a first flange (the plate 16 shown on the right side of Fig. 2) to which the first molded pieces 14 are firmly connected and from which they extend parallel to the joint axis. Fig. 2 shows the second molded bodies 14 are firmly connected to a counter flange (the plate shown on the left side of Fig. 2) and extend from it parallel to the joint axis. Figs. 2 & 3 show the counter-flange 16 forms part of a rotational body from which forms one end of a torque

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transmission chain, the other end of which is the second joint body 1. Fig. 3 shows the first body 2 comprises a tubular piece 4 which encloses the second joint body 1 and has an outer lateral surface of a circular cross section, against which the flexible coupling elements are supported in the radial direction. Fig. 4 shows the flexible coupling elements are supported in the region of the second molded pieces 14 in each case via a sliding block 5.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Howard, Faust, Rouillot and Metalastik each show a torsionally flexible shaft coupling.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Binda whose telephone number is (703) 305-2869. The examiner can normally be reached Monday through Thursday from 9:30 am to 7:00 pm. The examiner can also be reached on alternate Fridays. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne, can be reached on (703) 308-1159. The fax phone number is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168 and 308-1113.



Greg Binda
Primary Examiner
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